2-4-27

NOTIFICATION.

No. L. D. 1148, Bangalore, dated 14th March 1951.

Under Rule 36 of the Mysore Legislative Rules, the City of Bangalore Municipal Corporation (Amendment) Bill, 1951, together with Statement of objects and reasons, is published for general information.

THE CITY OF BANGALORE MUNICIPAL CORPORATION (AMENDMENT) BILL, 1951.

A Bill further to amend the City of Bangalore Municipal Corporation Act, 1949.

WHEREAS it is expedient further to amend the City of Bangalore Municipal Corporation Act, 1949, (Mysore Act LXIX of 1949), for the purposes hereinafter appearing; Preamble.

It is hereby enacted as follows:—

1. (1) This Act may be called the City of Bangalore Municipal Corporation (Amendment) Act, 195- . Short title and commencement.

(2) It shall come into force at once.

2. In section 3 of the City of Bangalore Municipal Corporation Act, 1949, (hereinafter referred to as the said Act), after clause (18), the following clause shall be inserted namely:— Amendment of section 3 of Mysore Act LXIX of 1949.

"(18-*a*) 'Government' means the State Government;"

3. In section 5 of the said Act,— Amendment of section 5 of Mysore Act LXIX of 1949.

(1) in sub-section (1), clause (*d*) shall be relettered as clause (*e*) and after clause (*c*), the following clause shall be inserted, namely:—

"(*d*) three councillors who shall be elected by such associations or corporate bodies and in such manner as may be notified by the Government in the *Mysore Gazette.*;"

(2) in sub-section (2), for the words, brackets and letters, "clauses (*a*), (*b*) and (*c*)", the words, brackets and letters "clauses (*a*), (*b*), (*c*) and (*d*)" shall be substituted.

4. In sub-section (1) of section 6 of the said Act, for the word "five", the word "six" shall be substituted, and after clause (v), the following clause shall be added, namely:— Amendment of section 6 of Mysore Act LXIX of 1949.

"(vi) education."

Amendment of section 20 of Mysore Act LXIX of 1949.

5. To sub-section (1) of section 20 of the said Act, the following proviso shall be added, namely :—

"Provided that no regulation framed by the corporation under this sub-section shall have effect unless it is approved by the Government."

Insertion of new section 22-A in Mysore Act LXIX of 1949.

6. After section 22 of the said Act, the following section shall be inserted, namely :—

Decisions of Standing Committees to be approved by Corporation.

"22-A. No decision of a Standing Committee shall have effect unless it is approved by a resolution of the corporation."

Amendment of section 23 of Mysore Act LXIX of 1949.

7. In section 23 of the said Act, in sub-section (1), the words "but the corporation shall not be entitled to exercise functions expressly assigned by or under this Act or any other law for the time being in force to a Standing Committee or the Commissioner", and sub-section (2) shall be omitted.

Amendment of section 26 of Mysore Act LXIX of 1949.

8. Section 26 of the said Act shall be numbered as sub-section (1) of the said section and after the section as so numbered the following sub-section shall be added namely :—

"(2) Without prejudice to the provisions of sub-section (1), the corporation may make provision in the annual budget for serving light lunch at the meetings of the corporation and the Standing Committees."

Amendment of section 42 of Mysore Act LXIX of 1949.

9. In sub-section (1) of section 42 of the said Act, for the words "first day of July", the words "first day of April" shall be substituted ; and for the words "first day of July", wherever they occur in the said Act, the words "first day of April" shall be substituted.

Amendment of section 47 of Mysore Act LXIX of 1949.

10. In section 47 of the said Act, at the end of the proviso to sub-section (2), the words "and the order of the Government thereon shall be final" shall be added and sub-section (3) shall be omitted.

11. In sub-section (1) of section 58 of the said Act, for the words "His Highness the Maharaja" where they occur for the first time, the words "the Constitution" shall be substituted; for the words "solemnly $\frac{\text{swear}}{\text{affirm}}$ that I will be faithful and bear true allegiance to His Highness the Maharaja of Mysore, his heirs and successors", the words $\frac{\text{"swear in the name of God}}{\text{solemnly affirm}}$ that I will bear true faith and allegiance to the Constitution of India" shall be substituted, and for the word "duties", the word "duty" shall be substituted; Amendment of section 58 of Mysore Act LXIX of 1949.

12. In section 70 of the said Act, for the figure "70", the figure "69" shall be substituted. Amendment of section 70 of Mysore Act LXIX of 1951.

13. After sub-section (5) of section 73 of the said Act, the following sub-section shall be added, namely :— Amendment of section 73 of Mysore Act LXIX of 1949.

"(6) Notwithstanding anything contained in the foregoing provisions of this section no property whether moveable or immoveable exceeding five thousand rupees in value shall be sold or otherwise transferred and no property shall be granted free of cost or at an upset price except with the previous sanction of the Government."

14. In sub-section (2) of section 77 of the said Act, for the words "twenty-five thousand rupees", the words "ten thousand rupees" shall be substituted.; Amendment of section 77 of Mysore Act LXIX of 1949.

15. In section 78 of the said Act,—

(1) in sub-section (1) for the words "twenty-five thousand rupees", the words "ten thousand rupees", shall be substituted; Amendment of section 78 of Mysore Act LXIX of 1949.

(2) in clause (*a*) of sub-section (2), for the words "one lakh of rupees", the words "twenty-five thousand rupees" shall be substituted.

16. Section 89 of the said Act shall be numbered as sub-section (1) of that section and after the section as so numbered, the following sub-section shall be added, namely :— Amendment of section 89 of Mysore Act LXIX of 1949.

"(2) Notwithstanding anything contained in any other provision of this Act, no appointment to any office under the corporation, the maximum monthly salary of

which is not less than two hundred and fifty rupees, shall be made except with the previous sanction of the Government."

Amendment of section 97 of Mysore Act LXIX of 1949.

17. In section 97 of the said Act, after clause (*e*), the following clause shall be inserted, namely :—

"(*f*) a toll on vehicles entering the corporation limits ;" and the existing clauses (*f*) and (*g*) shall be re-lettered as clauses (*g*) and (*h*) and the existing clause (*h*) shall be omitted.

Amendment of section 101 of Mysore Act LXIX of 1949.

18. In section 101 of the said Act,

(1) in clause (*h*) the words "being neither building, nor land" shall be omitted ;

(2) after clause (*i*), the following clause shall be inserted, namely :—

"(*j*) buildings belonging to the Government or the Government of India ;" and the existing clause (*j*) shall be relettered as clause (*k*).

Amendment of section 142 of Mysore Act LXIX of 1949.

19. In section 142 of the said Act, for the words "on instruments of sale and gift", the words "on all instruments of transfer of immoveable property by sale, gift, mortgage or otherwise" shall be substituted, and for the words "sale or gift" in the proviso, the words "sale, gift, mortgage or otherwise" shall be substituted.

Amendment of section 167 of Mysore Act LXIX of 1949.

20. In sub-section (1) of section 167 of the said Act, after the word "Government", the words "for approval" shall be added.

Statement of Objects and Reasons.

The City of Bangalore Municipal Corporation Act, 1949, is based mainly on the Madras City Municipal Act, 1919. The working of the State Act during the short period, has disclosed certain defects with the result that it has become necessary to suitably amend the Act. The present Bill has been brought to remedy the said defects and to provide for other consequential amendments.

By Order of His Highness the Maharaja,

B. S. PUTTASWAMY,
Legal Remembrancer and
Secretary to Government,
Law Department.